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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/600,179	BARILE, STEVEN E.
	Examiner	Art Unit	
	Ryan Jakovac	2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>7/29/2011</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5) ☒ Claim(s) <u>1,3,4,6-17,19,20 and 22-27</u> is/are pending in the application.

   5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☒ Claim(s) <u>1,3,4,6-17,19,20 and 22-27</u> is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10) ☐ The specification is objected to by the Examiner.

11) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

     1. ☐ Certified copies of the priority documents have been received.

     2. ☐ Certified copies of the priority documents have been received in Application No. _____.

     3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Acknowledgements

This action is in response to communications filed 01/26/2011. Claims 1, 3-4, 6-17, 19-20, 22-27 are currently pending.

Response to Arguments

Applicant's remarks filed 07/29/2011 have been fully considered. Applicant's arguments are directed towards the <u>amended claim language which has necessitated the new ground(s) of rejection presented herein.</u>

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

> 1.   Determining the scope and contents of the prior art.
> 2.   Ascertaining the differences between the prior art and the claims at issue.
> 3.   Resolving the level of ordinary skill in the pertinent art.
> 4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

32   **Claims 1, 3-4, 7-9, 11-15, 17, 19-20, 23-25, 27 are rejected** under 35 U.S.C.

103(a) as being unpatentable over U.S. 2002/0052933 to Leonhard et al (hereinafter

34   Leonhard) in view of U.S. 7,496,947 to Meyers and further in view of U.S. 7,509,421 to

Lambert. [*independent claims are treated first*]

36

Regarding claim 1,

38   Leonhard discloses a method comprising:

40   creating a play list (*Leonhard, see fig. 10, list of songs created by adding songs
         to project playlist according to user search results. See [0214].*);
42
         submitting the play list to a multimedia content provider through the network
44   (*Leonhard, see fig. 11, list of songs is submitted to the server. See fig. 12,
         current project comprising list of songs. See [0222].*),
46
         wherein the multimedia content provider gathers multimedia content specified in
48   the play list (*Leonhard, fig. 12, list of songs specified in the project are gathered
         and presented.*);
50
         downloading the multimedia content to a multimedia content cache (*Leonhard,
52   fig. 12, multimedia content presented for download to client. [0217], music file
         downloaded to client storage. See also [0225].*);
54
         wherein the operation of creating the playlist comprises: creating an initial play
56   list based on at least one of the following: specifications by the user, a play list
         pre-defined by the user, and a play list pre-determined by the multimedia content
58   provider (*Leonard, fig. 10, 12, user selected playlist of songs.*).

60   Leonhard discloses downloading to a client but does not explicitly that the client

is a portable device, however, Meyers discloses downloading multimedia content to a

62   portable device (*Meyers, abstract, content is downloaded to a portable device such as

an MP3 player or mobile phone. See also, col. 2:15-24.*).

64
Leonhard further fails to teach, but Meyers teaches:

66
    playing the multimedia content on the portable device (*Meyers, col. 2:5-10,*
68
    content played on the portable device.);

70
    occasionally connecting a portable device of a user to a network (*Meyers,*
    abstract, col. 3:34-35, portable device is intermittently connected to the internet.);
72
    disconnecting the portable device from the network (*Meyers, abstract, col. 3:34-*
74
    35, portable device is intermittently connected to the internet.);

76
    recording feedback from the user about the multimedia content specified in the
    play list (*Meyers, abstract, user data and preferences including ratings related to*
78
    a custom broadcast (i.e. playlist) are uploaded from an intermittently connected
    mobile device such as an mp3 player or mobile phone. See also, col. 2:15-24.),
80
    wherein the feedback is recorded on the portable device and the feedback
82
    comprises a plurality of ratings, each rating of the plurality of ratings
    corresponding to a respective title of the multimedia content specified in the play
84
    list (*Meyers, col. 2:10-24, user ratings of content, col. 5:40-46, user song*
    ratings.);
86
    uploading the feedback from the portable device to the multimedia content
88
    provider when connected to the network (*Meyers, feedback is uploaded from*
    portable device. See also col. 5:49-54: "During the next connection between the
90
    device and the Web site, the user ranking is uploaded to the Web site..."),

92
    wherein the multimedia content provider uses the plurality of ratings to provide
    recommended multimedia content to the user (*Meyers, col. 4:25-30, ratings used*
94
    to suggest content.); and

96
    selectively downloading the recommended multimedia content to the multimedia
    content cache in the portable device (*Meyers, col. 3:60-67, preferences and*
98
    rankings used to select content for download. See also abstract, "User data and
    preferences can also be uploaded to the Web site to influence the type of data
100
    that is downloaded.").

102
    expanding the initial play list by recommending to the user additional content
    unrelated to preferences of the user (*Meyers, col. 3:56-61, col. 4:64-67, col. 5:1-*
104
    7, col. 6:25-27, expansion of custom broadcast including content selections by
    server and according to algorithms unrelated to user preferences.); and
106
    refining the expanded initial play list based on the feedback (*Meyers, abstract,*
108
    col. 3:60-67.).

110   wherein playing the multimedia content comprises accessing the multimedia
       content and rendering the multimedia content to the user (*Meyers, abstract, col.*
112   *2:5-10, content played on the portable device.*).

114   It would have been obvious to one of ordinary skill in the art at the time of the

invention to include the teachings of Meyers with Leonhard. The motivation to do so

116   would be in order to provide targeted multimedia content for download to a portable

device (*Meyers, col. 1:46-52.*).
118

Leonhard and Meyers fail to teach:
120
       wherein the multimedia content comprises at least one first title protected by a
122   first digital fight management (DRM) system and at least one second title
       protected by a different DRM system;
124
        wherein the operation of accessing the multimedia content comprises using the
126   first DRM system to access the first title and using the different DRM system to
       access the second title; and
128
       wherein at least the first DRM system enforces protection policies that prevent
130   the first title from being copied from the portable device and played by another
       user and that prevent the portable device from playing the first title after
132   expiration of a predetermined period of time.

134   However, Lambert teaches:

136   multimedia content comprising at least one first title protected by a first digital
       fight management (DRM) system and (col. 4:4-8, node-locking DRM)
138
       at least one second title protected by a different DRM system (col. 6:35-45);
140
       wherein an operation of accessing the multimedia content comprises using the
142   first DRM system to access the first title (col. 5:35-67, col. 11:27-39) and

144   using the different DRM system to access the second title (col. 6:35-45); and

146   wherein at least the first DRM system enforces protection policies that prevent
       the first title from being copied from a portable device and played by another user
148   (col. 4:4-8, node-locking DRM) and that prevent the portable device from playing

150   the first title after expiration of a predetermined period of time (col. 4:4-8, 5:25-30,
           col. 11:5-6, time based DRM).

152   It would have been obvious to one of ordinary skill in the art at the time of the

           invention to include the teachings of Lambert with Leonhard and Meyers. The

154   motivation to do so is that the teachings of Lambert would be advantageous in terms of

           enforcing and retaining copyright control over electronic content (Lambert, col. 1:19-23).

156

           Regarding claim 8,

158   Leonhard teaches a method comprising:

160   accepting a play list of multimedia files from a user of the portable device (figs.
           11-12, ¶ 222);
162
           searching a database for multimedia content according to a modified play list (fig.
164   1, database with media content; fig. 9-12, searching according to modified play
           list);
166
           processing the multimedia content before the multimedia content is downloaded
168   (fig. 9-12);

170   transferring the multimedia content to the portable device (fig. 12, ¶ 217, 255,
           download of content),
172

           Leonhard fails to teach:
174
           connecting occasionally to a portable device through the Internet
176
           modifying the play list by recommending to the user additional content unrelated
178   to the user's preferences;

180   using the plurality of ratings to provide recommended multimedia content to the
           user;
182
           selectively downloading the recommended multimedia content to the portable
184   device while connected; and

186   receiving feedback from the user about the multimedia content specified in the
        play list, wherein the feedback from the user is uploaded from the portable
188   device, and

190   the feedback comprises a plurality of ratings, each rating of the plurality of ratings
        corresponding to a respective title of the multimedia content specified in the play
192   list;

194   obtaining an opinion of the additional content from the user for marketing
        purposes;
196

        However, Meyers teaches:
198
        connecting occasionally to a portable device through the Internet (Meyers,
200   abstract, col. 3:34-35);

202   modifying a play list by recommending to a user additional content unrelated to
        the user's preferences (Meyers, col. 3:56-61, col. 4:64-67, col. 5:1-7, col. 6:25-
204   27);

206   using the plurality of ratings to provide recommended multimedia content to the
        user (Meyers, col. 4:25-30);
208
        selectively downloading the recommended multimedia content to the portable
210   device while connected (Meyers, col. 3:60-67); and

212   receiving feedback from the user about the multimedia content specified in the
        play list, wherein the feedback from the user is uploaded from the portable device
214   (Meyers, abstract, col. 2:10-24, col. 5:49-54), and

216   the feedback comprises a plurality of ratings, each rating of the plurality of ratings
        corresponding to a respective title of the multimedia content specified in the play
218   list (Meyers, col. 2:10-24, col. 4:40-46, user song ratings);

220   obtaining an opinion of the additional content from the user for marketing
        purposes (Meyers, col. 2:10-24, col. col. 4:40-46, col. 5:49-64);
222

        It would have been obvious to one of ordinary skill in the art at the time of the

224   invention to include the teachings of Meyers with Leonhard. The motivation to do so

would be in order to provide targeted multimedia content for download to a portable

226   device (*Meyers, col. 1:46-52.*).

228   Leonhard and Meyers fail to teach:

230   wherein the multimedia content comprises at least one first title protected by a
            first digital fight management (DRM) system and at least one second title
232   protected by a different DRM system;

234   wherein at least the first DRM system enforces protection policies that prevent
            the first title from being copied from the portable device and played by another
236   user and that prevent the portable device from playing the first title after
            expiration of a predetermined period of time.

238   However, Lambert teaches:

240   multimedia content comprising at least one first title protected by a first digital
            fight management (DRM) system and (col. 4:4-8, node-locking DRM) at least one
242   second title protected by a different DRM system (col. 6:35-45);

244   wherein at least the first DRM system enforces protection policies that prevent
            the first title from being copied from a portable device and played by another user
246   (col. 4:4-8, node-locking DRM) and that prevent the portable device from playing
            the first title after expiration of a predetermined period of time (col. 4:4-8, 5:25-30,
248   col. 11:5-6, time based DRM).

250   It would have been obvious to one of ordinary skill in the art at the time of the

invention to include the teachings of Lambert with Leonhard and Meyers. The

252   motivation to do so is that the teachings of Lambert would be advantageous in terms of

enforcing and retaining copyright control over electronic content (Lambert, col. 1:19-23).

254

<u>Regarding claim 12.</u>

256   Leonhard teaches a system comprising:

258   a play list creator capable of creating a play list of multimedia files accepted and
         arranged by a user (*Leonhard, see fig. 10, list of songs created by adding songs
260   *to project playlist according to user search results. See [0214]. See fig. 12,
         current project comprising list of songs.*),
262

   Leonhard does not expressly disclose, but Meyers discloses:

264
      a user feedback uploading mechanism capable of recording feedback from the
266   user on a portable device about the multimedia content specified in the play list,
         wherein the feedback is uploaded from the portable device to a multimedia
268   content provider and the feedback comprises a plurality of ratings (*Meyers,
         abstract, user data and preferences including ratings related to a custom
270   broadcast (i.e. playlist) are uploaded from an intermittently connected mobile
         device such as an mp3 player or mobile phone. See also, col. 2:15-24.*),
272

      each rating of the plurality of ratings corresponding to a respective title of the
274   multimedia content specified in the play list (*Meyers, col. 2:10-24, user ratings of
         content, col. 5:40-46, user song ratings.*), and
276

278   a recommendation mechanism capable of using the plurality of ratings to provide
         recommended multimedia content to the user, wherein the multimedia content
         provider is capable of providing the multimedia files specified by the play list for a
280   user to download (*Meyers, col. 3:60-67.*), and

282   wherein the recommendation mechanism is further capable of recommending to
         the user additional content unrelated to preferences of the user (*Meyers, col.
284   3:56-61, col. 4:64-67, col. 5:1-7, col. 6:25-27.*);

286   a portable multimedia content cache capable of receiving the multimedia files
         through a network while occasionally connected and storing the multimedia files
288   (*Meyers, col. 3:60-67, preferences and rankings used to select content for
         download. See also abstract, "User data and preferences can also be uploaded
290   to the Web site to influence the type of data that is downloaded." See abstract,
         col. 3:34-35, intermittent connection.*); and
292

      a portable multimedia content player capable of accessing and rendering the
294   multimedia contents to the user (*Meyers, see at least col. 2:5-19.*).

296   wherein playing the multimedia content comprises accessing the multimedia
         content and rendering the multimedia content to the user (*Meyers, abstract, col.
298   2:5-10, content played on the portable device.*).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to the teachings of Meyers with Leonhard. The motivation to do so would be in

order to provide targeted multimedia content for download to a portable device (*Meyers,

col. 1:46-52.*).

Leonhard and Meyers fail to teach:

> wherein the multimedia content comprises at least one first title protected by a
> first digital fight management (DRM) system and at least one second title
> protected by a different DRM system;

> wherein the operation of accessing the multimedia content comprises using the
> first DRM system to access the first title and using the different DRM system to
> access the second title; and

> wherein at least the first DRM system enforces protection policies that prevent
> the first title from being copied from the portable device and played by another
> user and that prevent the portable device from playing the first title after
> expiration of a predetermined period of time.

However, Lambert teaches:

> multimedia content comprising at least one first title protected by a first digital
> fight management (DRM) system and (col. 4:4-8, node-locking DRM)

> at least one second title protected by a different DRM system (col. 6:35-45);

> wherein an operation of accessing the multimedia content comprises using the
> first DRM system to access the first title (col. 5:35-67, col. 11:27-39) and

> using the different DRM system to access the second title (col. 6:35-45); and

> wherein at least the first DRM system enforces protection policies that prevent
> the first title from being copied from a portable device and played by another user
> (col. 4:4-8, node-locking DRM) and that prevent the portable device from playing
> the first title after expiration of a predetermined period of time (col. 4:4-8, 5:25-30,
> col. 11:5-6, time based DRM).

It would have been obvious to one of ordinary skill in the art at the time of the

340 invention to include the teachings of Lambert with Leonhard and Meyers. The

motivation to do so is that the teachings of Lambert would be advantageous in terms of

342 enforcing and retaining copyright control over electronic content (Lambert, col. 1:19-23).

344 **Claim 17** is rejected for similar rationale presented for claim 1.

346 **Claim 24** is rejected for similar rationale as provided for claim 8.

348 **Regarding claim 3, 19**,

Meyers teaches:

350

  wherein the operation of expanding the initial play list comprises cross-pollinating
352   the initial play list using play lists of other users (*Meyers, col. 4:26-30, cross-*
  correlation of user ratings/preferences.).
354

  It would have been obvious to one of ordinary skill in the art at the time of the

356 invention to include the teachings of Meyers. The motivation to do so would be in order

to provide targeted multimedia content for download to a portable device (*Meyers, col.*

358 *1:46-52.*).

360 **Regarding claim 4, 9, 20, 25,**

Meyers teaches:

362

  wherein the portable device comprises a computer (*Meyers, abstract, MP3 player*
364   *or mobile phone. See also col. 3:20-25.*)

366   It would have been obvious to one of ordinary skill in the art at the time of the

invention to include the teachings of Meyers. The motivation to do so would be in order

368   to provide targeted multimedia content for download to a portable device (*Meyers, col.*

1:46-52.).

370

Regarding claim 7, 23,

372   Leonhard teaches:

374   wherein the network comprises at least one of the following: a local area network,
            a wide area network, the Internet, a terrestrial broadcast network, and a wireless
376   network (*Leonhard, fig. 1, internet.*).

378   **Regarding claim 11, 27**,

        Leonhard teaches:
380
            wherein the database comprises at least one of static and dynamic multimedia
382   content (*Leonhard, fig. 12, multimedia content. [0217], music file.*).

384   **Regarding claim 13**,

        Leonhard teaches:
386
            wherein the play list creator further comprises: a play list generating mechanism
388   capable of generating a play list (*Leonhard, see fig. 10, list of songs created by
            adding songs to project playlist according to user search results. See [0214]. See
390   fig. 12, current project comprising list of songs.*); and

392   Leonhard fails to teach, but Meyers teaches:

394   a pre-determining mechanism capable of at least one of the following: receiving
            parameters specifying the user's preferences (*Meyers, col. 2:1-5, receiving user
396   preferences.*),

398   loading a user pre-defined play list, and providing a number of play lists pre-
   determined by the multimedia content provider; and wherein the recommendation
400   mechanism is further capable of expanding the play list by recommending
   additional multimedia files (*Meyers, col. 3:56-61, col. 4:64-67, col. 5:1-7, col.
402   *6:25-27.).

404   It would have been obvious to one of ordinary skill in the art at the time of the

invention to include the teachings of Meyers. The motivation to do so would be in order

406 to provide targeted multimedia content for download to a portable device (*Meyers, col.*

1:46-52.).

408

Regarding claim 14,

410 Meyers teaches:

412   wherein the multimedia content provider comprises: a communication port; a
   multimedia content database (*Meyers, abstract, fig.3.*);
414
   a searching mechanism capable of searching the multimedia content database
416   for multimedia files in the play list (*Meyers, col. 3:60-67.*); and

418   a content processing mechanism capable of at least one of the following:
   packaging, encrypting, compressing, and encoding the multimedia files (*Meyers,*
420   *col. 1:46-52.*).

422   It would have been obvious to one of ordinary skill in the art at the time of the

invention to include the teachings of Meyers. The motivation to do so would be in order

424 to provide targeted multimedia content for download to a portable device (*Meyers, col.*

1:46-52.).

426

Regarding claim 15,

428 Meyers teaches:

430   wherein the portable multimedia content cache comprises:

432   a communication port; a receiving component capable of downloading and
             receiving the multimedia files from the multimedia content provider through a
434   network (*Meyers, col. 3:60-67, preferences and rankings used to select content
             for download. See also abstract, "User data and preferences can also be*
436   *uploaded to the Web site to influence the type of data that is downloaded."*); and

438   a storage component capable of storing the multimedia files (Meyers, col. 1:46-
             52.).
440
             It would have been obvious to one of ordinary skill in the art at the time of the

442   invention to include the teachings of Meyers. The motivation to do so would be in order

       to provide targeted multimedia content for download to a portable device (*Meyers, col.*

444   *1:46-52.*).

446   **Claims 6, 10, 16, 22, 26 are rejected** under 35 U.S.C. 103(a) as being

       unpatentable over Leonhard, Meyers, and Lambert and further in view of U.S.

448   7,130,251 to Morohashi.

450   **Regarding claim 6, 10, 16, 22, 26,**

       Meyers teaches:
452
             a multimedia content rendering mechanism capable of rendering the multimedia
454   files to a user (*Meyers, abstract, MP3 player or mobile phone. See also, col.
             2:15-24.*).
456
             It would have been obvious to one of ordinary skill in the art at the time of the

458   invention to include the teachings of Meyers. The motivation to do so would be in order

       to provide targeted multimedia content for download to a portable device (*Meyers, col.*

460   *1:46-52.*).

462   Leonhard, Meyers, and Lambert do not expressly disclose, but Morohashi discloses:

464   accessing multimedia content comprises at least one of the following: unpacking,
                decrypting, decompressing, and decoding the multimedia content (*Morohashi,*
466   *col. 11:13-34, "In a playback operation, musical data compressed and encoded*
                by the compression encoder 12 and then recorded and stored in the HDD 10 is
468   *read out from the HDD 10 and supplied to a compression decoder 21 by way of*
                the bus 40. The compression decoder 21 decodes and decompresses the
470   *compressed musical data.*).

472   It would have been obvious to one of ordinary skill in the art at the time of the

        invention to include the teachings of Morohashi with Leonhard, Meyers, and Lambert.

474   The motivation to do so would be in order to facilitate the playback of compressed

        digital music data (*Morohashi, col. 11:13-34.*).

476

CONCLUSION

478

      Applicant's amendment necessitated the new ground(s) of rejection presented in

480   this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

      § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

482   CFR 1.136(a).

      A shortened statutory period for reply to this final action is set to expire THREE

484   MONTHS from the mailing date of this action. In the event a first reply is filed within

      TWO MONTHS of the mailing date of this final action and the advisory action is not

486   mailed until after the end of the THREE-MONTH shortened statutory period, then the

      shortened statutory period will expire on the date the advisory action is mailed, and any

488   extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

      the advisory action. In no event, however, will the statutory period for reply expire later

490   than SIX MONTHS from the date of this final action.

      Any inquiry concerning this communication or earlier communications from the

492   examiner should be directed to Ryan Jakovac whose telephone number is (571)270-

      5003. The examiner can normally be reached on Monday through Friday, 7:30 am to

494   5:00 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the

      examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax

496   phone number for the organization where this application or proceeding is assigned is

      571-273-8300.

498   Information regarding the status of an application may be obtained from the

      Patent Application Information Retrieval (PAIR) system. Status information for

500   published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

502   For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

504   Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

506   system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Ryan Jakovac/

510   Examiner, Art Unit 2445

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